

## **Big Rivers Electric Corporation**

### **Comment 1:** Emissions Unit 1 Question Regarding Applicable Requirements

Does 40 CFR 60, Appendix F need to be cited (CEM QA Procedures) or does the reference to Subpart Da suffice?

**Response:** Regulation 40 CFR 60, Appendix F, Quality Assurance Procedure applies to any gas continuous emission monitoring system that is used for compliance demonstration with emission standard. Regulation 40 CFR 60, Subpart Da requires continuous emissions monitors for compliance demonstration with sulfur dioxide, nitrogen oxides, and opacity standards on a continuous basis. Thus, citing 40 CFR 60, Subpart Da as an applicable regulation implies that the gas continuous emission monitors are subject to 40 CFR 60, Appendix F. However, the Division has decided to include the Regulation 40 CFR 60, Appendix F as an applicable regulation for this emissions unit to resolve any confusion.

### **Comment 2:** Emission Unit 01 Emission Limitations

Please include language in paragraphs a), b), c), and d) to identify conditions or circumstances under which an exceedance may be considered exempt from consideration as a violation. We feel it is not only appropriate, but essential for clarity in discerning what is and what is not an accountable exceedance of an emission limitation. This request is consistent with the basic intent of the Title V process to provide clarity regarding applicable requirements and emission standards and limitations.

**Response:** The Division agrees with the comment that it is essential to make it clear in the permit that what is and what is not an accountable exceedance of an emission limitation to be mentioned in the permit. Paragraphs a), b), c) and d) represent the regulatory emission standards, and any exceedances of those standards at any times other than those exempt under regulation could constitute a violation. However, these standards are not applicable at all the times and the exemption are included clearly in the permit under paragraph e) of the same subsection. Thus, no change in the permit is required to address this concern.

### **Comment 3:** Unit 1 Emission Limitations

Our permit application for this facility was deemed administratively complete by the Division prior to promulgation of Compliance Assurance Monitoring (CAM) procedures. We understand that we are not required to implement the CAM procedures until the permit undergoes revision or renewal. Therefore, we question the basis the Division is using to require the development of an upper opacity limit and resulting continuous particulate emission compliance demonstration with continuous opacity monitor data. We also believe the establishment of such new requirements require proper rule making procedures to be followed.

**Response:** The Division agrees with the comment that the source is not subject to Compliance Assurance Monitoring (CAM) procedures since the application for the facility was deemed administratively complete by the Division prior to promulgation of CAM procedures and the permittee is not required to implement the CAM procedures until the permit undergoes revision or renewal. However, the Division finds this comment on CAM applicability for this source irrelevant since the permit does not include any requirements developed based on CAM rule.

The purpose of the requirement of developing an upper opacity limit is clear and is mentioned in the permit. The applicable regulation for this emission unit does not establish a set schedule for periodic performance testing for particulates; therefore, the Division has developed the periodic monitoring requirement for particulate emissions as disclosed in the draft permit pursuant to Regulation 401 KAR 50:035, Permits. The upper limit of opacity will be developed from COM data collected during performance test of particulate; and the permittee is required to operate the process and the associated control equipment in such that the opacity of emissions collected by COM (averaged over three hours) does not exceed the upper limit of opacity. In case of an excursion, the permittee will be required to demonstrate compliance with the particulate standard through performance test as described in the permit. The COM data collection and such operation will be used as a periodic monitoring requirement to provide a means that may assure compliance with the particulate standard.

The basis of this requirement is also clear. Section 504 of the Clean Air Act states that each Title V permit must include “conditions as necessary to assure compliance with applicable requirements of [the Act], including the requirements of the applicable implementation plan” and “inspection, entry, monitoring, compliance certification, and reporting requirements to assure compliance with the permit terms and conditions.” 42 U.S.C. §7661c(a),(c). If the underlying applicable requirement imposes no such obligation, the permit must require under 40 CFR 70.6(a)(3)(i)(B), periodic testing or instrumental or non instrumental monitoring which yields reliable data from the relevant time period that are taken under conditions representative of the source’s operations and, therefore, representative of the source’s compliance with its permit. The State Regulation 401 KAR 50:035 has been promulgated under Kentucky Revised Statutes 224.10-100 and the Regulation 401 KAR 50:035, Section 7(1)(c) mentions that “if the applicable requirement does not require periodic testing or monitoring, the permit shall contain periodic monitoring sufficient to yield reliable data from the relevant time period representative of the source’s compliance with the permit pursuant to the reporting requirements of paragraph (e) of this subsection.” Therefore, the Clean Air Act, KRS 224.10-100, 40 CFR 70.6 and Regulation 401 KAR 50:035 establish the statutory and regulatory authority for the state.

The specific Regulation 401 KAR 59:016, applicable to this emissions unit does not establish a set schedule for periodic testing or monitoring for compliance demonstration with particulates standard; therefore, the Division has developed the periodic monitoring requirement for particulate emissions as disclosed in the draft permit pursuant to Regulation 401 KAR 50:035, Permits. This requirement is merely a periodic monitoring requirement as required by the existing regulation; not a new standard. The Division is not making a new standard for particulate matters through Title V permitting; rather implementing what is required by law. Thus, the question of following proper procedure of making new rules is irrelevant here.

### **Comment 3 continues...**

Additionally, the in arguable conclusion that opacity is directly related to mass emissions of particulate matter has not been established by the scientific and regulatory communities. The concept, however, that an upper indicator level of opacity can be established to indicate possible problems with maintaining compliance with particulate emission limitations, may have some merit for development of an acceptable CAM procedure. However, at this time, there are many questions regarding the specifics of the concept, the testing protocol, and how opacity from a given unit will respond to incremental de-tuning of an electrostatic precipitator. We will need adequate time to work with the Division to resolve issues regarding minimum data requirements, relationships between the indicator ranges and particulate emissions, averaging times, establishment of waivers to exceed the applicable visible emission standard and particulate emission standard during testing, record keeping and reporting requirements, testing protocol, etc.

As a result of the many questions associated with immediately implementing the program contained in this section and as an alternative to the Division's proposed language contained therein, we propose the following:

1. Begin maintaining records on control parameters for the electrostatic precipitator at the time of effective date of this permit for use as an indication of compliance for the first year of the permit and thereafter, until the upper opacity limit is established.
2. Conduct initial performance testing within the first twelve (12) months of the effective date of the permit to demonstrate compliance with the allowable standard.
3. Begin testing to establish an upper opacity limit following initial demonstration of compliance.

**Response:** The Division realizes a direct relationship between opacity and particulate emissions for utility boilers is not generally established; however, there is no doubt among the scientific and regulatory communities that opacity can be used as an indicator for particulate emissions. The Division has proposed in the permit to use the opacity of emissions as an indicator for emissions of particulate matter. The periodic monitoring requirement for particulates which uses opacity data is formatted in a way that even excursions from the indicator range do not constitute a violation automatically. All it does is indicate a possibility of an exceedance of particulate emission standard and requires the permittee to demonstrate compliance with the particulate standard through performance testing.

The Division understands the associated problems of developing the indicator range of opacity to be used for periodic monitoring for particulates. The Division is willing to work with the permittee to resolve all the hurdles in developing this indicator range. The Division is confident that the problems associated with the development of the indicator range can be solved within the time frame prescribed by the permit.

The permittee's alternate proposal of periodic monitoring for particulates is not acceptable since merely monitoring of the operating parameters of electrostatic precipitators does not assure compliance with the particulate standards unless the permittee is willing to operate the control equipment in such a way that each operating parameters stays in a range developed from data collected during performance tests for particulates. The Division thoroughly investigated the possibility of monitoring operating parameters of control equipments and tie that with the operating conditions during performance tests for particulate and discussed this issue several times with the representatives of the power plants and discarded this option in response to their request. However, the Division is willing to accept any alternate proposal of periodic monitoring for particulates as long as that serves the purpose. The Division finds the permittee's's alternate proposal is unacceptable since that would not serve the purpose of periodic monitoring for particulates.

**Comment 4:** Emission Unit 01 Emission Limitations

The following comments are in regards to the concept of the upper opacity limit:

a) By the theory of the upper opacity limit concept, we are periodically establishing a relationship between opacity reading of a continuous opacity monitor (COM) in comparison with a particulate emission rate. Thereafter, 3 -hour rolling averages of COM readings are used as an indicator of compliance with the particulate emission rate. By the theory of this concept, there should be no cap on the upper opacity limit since we are attempting to establish the highest, or upper opacity that indicates we can operate and still be in compliance. As such, we request the upper opacity limit not be capped at the applicable opacity specification.

**Response:** The upper limit of the opacity will be developed from data collected during the performance test for particulates and will be done in a case by case basis for each emissions unit. The upper limit of the opacity will be used as an indicator for periodic monitoring for particulates; and establishing an upper limit of opacity will not change the opacity standard for that unit. The Division understands that an emissions unit may exceed the opacity standard without exceeding the particulate mass standard. However, the Division's current position on this issue is not to allow establishing an upper limit of opacity averaged over six hour period more than the opacity standard.

**Comment 4 continues...**

b) Also by theory, once established, the upper opacity limit will serve as a continuous indicator of compliance with the particulate emission rate. As such, there should be no reason to test the unit again until, at the discretion of the Administrator, the COM data indicates there may be a problem with the control equipment. Therefore, we request that the requirement to re-test for particulate emissions periodically be removed if the upper opacity limit concept is established.

**Response:** Again, the Division wants to use the opacity just as an indicator for periodic monitoring of particulate matter. As argued before by the permittee and the Division concurred that there is yet to be an established relationship between the opacity of the emissions and the particulate emissions. Establishing a relationship of the opacity and the particulate emissions through one

performance test may not represent the relationship over time. Thus, the Division has formatted the permit in such a way that the permittee should validate the relationship at least one more time in the term of the permit after initial establishment of the relationship; and the Division finds no reason to change the permit.

**Comment 5:** Emission Unit 1 Specific Monitoring Requirements

In paragraph b), we request the permit to include language which specifies the use of the applicable Instrumental Test Methods (40 CFR 60, Appendix A, Methods 3 A, 6C and 7E) as well as Methods 6 and 7.

**Response:** The permit adequately covers the use of instrumental test methods in paragraphs d) and e) of the same subsection as requested by the permittee. There is no reason to repeat that in the paragraph b).

**Comment 6:** Emission Unit 1 Specific Monitoring Requirements

Within paragraph e) 4, the span value is defined for the inlet monitors as 125% of the maximum estimated hourly potential emissions and for the outlet as 50% of the inlet value. The definition for span value for 40 CFR 75 presents a conflict with this definition for the outlet monitor span value. The "Acid Rain" monitoring definition for span value is 125% of the "maximum expected concentration" rounded upward to the nearest 10 ppm. The result is two entirely different span values.

If this is the situation, there will be many applications that will unnecessarily require an additional monitoring system with additional calibration gases and software reporting to-satisfy the additional span value requirements.

We suggest that the Part 75 requirements are more appropriate for accurately monitoring emissions as the monitors are calibrated more closely to the range in which they are actually monitoring and the resulting range of the analyzer will allow for the majority of monitor responses will fall within 25% - 75% of full scale. To alleviate this discrepancy, we recommend to add to paragraph e.)4. language "*...or span values as specified in 40 CAR 75, Appendix A*".

**Response:** The span value mentioned in the permit is copied from the applicable regulation. However, this emissions unit is also subject to Acid Rain provisions and the requirement under acid rain program is different. Thus, the Division has changed the permit as suggested by the permittee.

**Comment 7:** Emission Unit 01 Specific Monitoring Requirements, Specific Record Keeping Requirements, Specific Reporting Requirements

For all paragraphs under these sections, we request the applicable regulations and requirements be incorporated in all cases by reference. Omit quotations of regulatory specifics as any changes to the language of a regulation could potentially cause a "reopening" of the permit and any mistakes of quotation could result in a new and/or different requirement.

**Response:** The Division does not agree with the comment and has decided not to change the permit since referencing a regulation may, in some cases, make the permit requirement(s) unclear or ambiguous. The Division has tried to specify all the requirements in the permit as practically possible to avoid such a situation. It is important that the terms and conditions of the Title V permit be clear and unambiguous even when referencing a specific regulation which will help the permittee to demonstrate compliance with the terms of the permit. That will also help assure that the terms and conditions are "enforceable by the administrator and the citizens under the Act." 40 CFR 70.6(b)(1).

**Comment 8:** Emission Units 01, 02, 03, 04, and 05 Specific Control Equipment Operating Conditions

In lieu of specifying each piece of control equipment, change language to read "All air pollution control equipment shall be operated..... in order to prevent unnecessary reopening of the permit if an additional piece of control equipment is added in the future.

**Response:** The Division finds the name of each required control equipments mentioned in the Title V permit important so anybody can understand what control equipments are installed for each emissions units without looking anywhere else for that information. If any additional piece of control equipment is added in the future that may be included in the permit with the revision or renewal of the permit instead of reopening of the permit only to include that.

**Comment 9:** Emission Unit 02 Specific Monitoring Requirements

The requirement to perform qualitative visual opacity observations on a weekly basis should include language which requires conditions, angle of sun and background to be similar to those specified in Method 9. It is likely that utilities will give this responsibility and training to persons connected with Environmental programs within the utilities. It is typical for the personnel working within these programs to work Monday through Friday. Therefore, it is appropriate to require these observations to be performed only during typical work days of Monday through Friday during daylight hours. If a particular system is only operated on Saturday or Sunday of a particular week, the visual, qualitative opacity observation should be withheld until the next weekday in which it operates under suitable conditions per Method 9.

**Response:** The Division does not intent to establish a new reference method with the saying of qualitative visual opacity observation. The Division is willing to depend on the good will of the permittee to do exactly what it means- send a trained person out and see the opacity of the emissions standing at a reasonable place at a reasonable time once a week while the emissions unit

is in operation and see if there is any abnormal emissions. This requirement is included in the permit with the expectation that the permittee will keep an eye on the emissions and will get a chance to fix any problem before facing any enforcement action from any regulatory community. There is no reason for the Division to describe all the details of how to conduct the qualitative visual observation in the permit.

The permit does not recommend any particular day of the week to conduct the visual observation. Thus, the permittee is free to schedule the visual observation on any day of the week while the emissions unit is in operation. However, if an affected facility operates only on weekends, then the permittee is required to make arrangements for visual observation on those days.

**Comment 10:** Emission Unit 06 Specific Monitoring Requirements

The requirement to monitor usage rates or process rates for these sources is necessary only for reporting annual emission for emissions inventory / fees purposes. The applicable regulation for emission fees only requires this information be processed on an annual basis. However, in accordance with Section F, Item 5 of this proposed permit, this information would be required to be submitted to the Regional Office on a six (6) month basis. As such, we submit that information required solely for emissions inventory / fees purposes should not be contained as a monitoring requirement in the operating permit for this facility and request the monitoring requirement be removed.

**Response:** The Division concurs with the permittee that this information is required only for the emission inventory. However, if the permit does not require to monitor and keep record of the information, then how will the permittee supply the information at the end of the year when requested for it. The Division finds that the permittee should monitor this information for emission inventory and report every six months if required under regulation.

**Comment 11:** Section F, Item 2

We request the flexibility to keep records at location other than source as it may be more efficient and reduce the need for duplication of hard copy reports if the first sentence is changed to "... copies of all reports required by the Division of Air Quality, shall be retained at the source or where records are kept..."

**Response:** The permit is formatted to incorporate the flexibility of keeping records in places other than the source by not specifying any particular place for storing records. Thus, the permittee can store records anywhere at their convenience; however, the permittee is required to make the records available for inspection upon request by any duly authorized representative of the Division.

**Comment 12:** Section F, Item 6

We submit that malfunctions, unplanned shutdowns, startups or upset conditions that do **not** exceed emission limits are not required to be reported or recorded and request clarification language as such in this section.

**Response:** The Division has revised the Condition 6 in Section F. This condition now requires the permittee to notify the Director's designee only if there is any deviation from the permit requirements and report excess emissions including those due to malfunctions, unplanned shutdowns, ensuring startup, or upset conditions. However, the Regulation 401 KAR 59:005, Section 3(2) requires the permittee to "maintain the records of the occurrence and duration of any startup, shutdown, or malfunction..." irrespective of exceedance of emission limitations which is included in the permit in Subsection 5(b) in Section B on page 7 for emissions unit 1. On the same page of the permit in Subsection 6(a)(3), the reporting requirement in those said situations is clearly mentioned. The Division finds that the regulation is clear on this issue and the permit addresses this adequately under the regulations.

**Comment 13:** Section F, Item 6

The requirement to contact the Regional Office by telephone as "promptly" as possible is not an unreasonable request. However, the definition of "promptly" derived from this paragraph as "...three (3) hours from the occurrence..." is unreasonable and serves no purpose for compliance. We request that language specifying "...during normal working hours.." be included because the Kentucky Division for Air Quality personnel typically work normal work days and hours, therefore, the requirement to respond within three (3) hours unnecessarily provides for the potential to violate a permit condition without an benefit for the requirement. The focus of response to emission exceedances should be toward what is actually done as a remedy. Whether or not these occurrences are reported by telephone within three (3) hours, when no one is there to receive the call, or, as soon as possible during normal working hours, should not be a condition which could result in a violation if not adhered to precisely. As long as the response by the utility to remedy the problem was properly followed, there should be no potential for violation. We would also comment that the utilities would typically have procedures in place where any exceedances are properly addressed at the time by the utility at the time of occurrence, whether during normal working hours or not.

**Response:** The Division agrees with the permittee that notifying any deviation from permit condition within three hours from the occurrence of the deviation may create a potential of permit violation. Thus, the Division has revised the condition 6 in the Section F to read as follows:

- “6. a) In accordance with the provisions of Regulation 401 KAR 50:055, Section 1, the owner or operator shall notify the Division for Air Quality's Owensboro Regional Office concerning startups, shutdowns, or malfunctions as follows:
- i) When emissions during any planned shutdowns and ensuing startups will exceed the standards, notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the



shutdown is due to events which could not have been foreseen three (3) days before the shutdown.

ii) When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards, notification shall be made as promptly as possible by telephone (or other electronic media) and shall cause written notice upon request.

b) In accordance with the provisions of Regulation 401 KAR 50:035, Section 7(1)(e)2, the owner or operator shall promptly report deviations from permit requirements including those attributed to upset conditions to the Division for Air Quality's Owensboro Regional Office. Prompt reporting shall be defined as quarterly for any deviation related to emission standards (other than emission exceedances covered by general condition 6(a) above) and semi-annually for all other deviations from the permit requirements if not otherwise specified in the permit."

**Comment 14:**           Section F, Item 6

We feel that to require this reporting of this information within two (2) working days will create an unnecessary potential for violation, when, again, there is no real benefit by requiring the more frequent reporting. We suggest that a monthly schedule would suffice in consideration the information is being called in. Please note that it is required by this regulation for the "director" to notify the owner or operator as to the DAQ's determination made under this section within sixty (60) days after the date the information has been submitted. In this regards, we suggest the DAQ reevaluate the requirement to allow for a monthly submittal time frame.

**Response:**           Pursuant to Regulation 401 KAR 50:035, Section 7(1)(e)2, the permittee is required to report promptly any deviation from the permit condition. The Division is required under 40 CFR 70 to define the 'Prompt'. The Division has redefined the prompt for this source as quarterly for any emission related deviations which are not because of startup, shut down or malfunction, and semi-annually for all other deviations from the permit requirements if no otherwise reporting requirement mentioned in the permit.

**Comment 15:**           Section F, Item 5

If a reporting requirement from the Title V process is based on 6 months following issuance of the permit, the actual dates and time frames may be confusing. It appears that the language contained within this paragraph, "...shall be submitted to the Division's Owensboro Regional Office no later than the six-month anniversary date of this permit and every six months thereafter during the life of this permit...", allows for the source to set up the reporting time frame on a calendar "6-month basis" (e.g.; by July 1 and Jan 1). If this interpretation is correct, we request the DAQ to inform us as such in their response to our comments. If this interpretation is not correct, we request the DAQ to provide language allowing reporting to occur on a calendar "6-month basis" to help avoid confusion and possibly missing a deadline by facility reporting personnel.

**Response:**           The Division concurs with the permittee's interpretation of the timing of reporting requirement. The permittee can submit report based on calendar 6-month basis. However, the first report shall be submitted no later than six months from the issuance date of the permit.

**Comment 16:**           Section F, Item 5

In the past, the DAQ's regional boundaries have been changed. With this possibility, we request the language "...shall be submitted to the Division's Owensboro Regional Office..." be changed to "...shall be submitted to the Division's Regional Office with boundaries that include this facility..." to avoid an unnecessary reopening of the permit if the DAQ's regional boundaries are again changed.

**Response:**           The Division has included the name of the regional office to specify clearly the place for reporting and submitting reports as required by the permit. The Division does not expect any change in regional office boundaries in near future and have not found any reason to change the permit right now. However, the Division will investigate the merit of the suggestion and may issue all the permits specifying the condition as suggested by the permittee in the future.

**Comment 17:**           Section G   Paragraph e) "Emergency Provisions"

Subparagraph 1.iv) For clarity purposes, we recommend altering the regulation quotation to read "...*meet the requirements of 401 KAR 50:035, Section 4 (7) (b)4*".

**Response:**           The Division has checked into the matter and could not find any Regulation 401 KAR 50:035, Section 4(7)(b)4 as referenced by the permittee. However, Regulation 401 KAR 50:035E, Section 4(7)(b)4 addressed related issues which has been changed in the recent version of the regulation and the Division cited the recent version of the regulation in writing the permit.

**Comment 18:**           Section G "General Conditions"

In 1989, the Kentucky Division for Air Quality implemented the "Continuous Emission Monitor Enforcement Plan" (CEP) developed by EPA Region IV. During the time this policy was being developed, we had many discussion with personnel from the Division and EPA Region IV concerning the use of this guideline for enforcement purposes. It was clear that the intent of this policy was to put more "bite" into the CEM data as an enforcement guideline tool. Specifically, the CEP was implemented to give the Division a guideline to determine at what level of exceedances action would occur and also, specifically, what action to take.

We feel that referencing the CEP as the guideline which the Division uses to determine when enforcement action is to be taken due to monitored exceedances indicated by CEM data and, also, the specific enforcement action to be taken does not refute the use of other data. It merely documents, in the operating permit, the guideline the Division uses for action that will be taken for various levels of monitored exceedances. This seems to be very consistent with a primary intent of the Title V operating permit process to clearly define what is expected of the facility in regards to compliance operation.

As such, we request the CEP be described within the General Conditions as the policy in which the Division will refer to determine actions regarding violations reported with CEM data.

**Response:**           As the Division understands, the U. S. EPA's current intention is to use the CEP as a screening mechanism to reduce work load and to flag the sources with potential violations. The policy will reduce the workload for the State since it only requires a detailed evaluation of downtime of CEM if the downtime exceeds two percent of the total operating time. However, the DAQ evaluates all the downtime, thus obviously the CEP is not required to be incorporated in the Title V permit as a screening mechanism of CEM downtime.

Now, the U. S. EPA is not promoting its intention of using CEP for screening opacity exceedances in determining enforcement action as suggested by the permittee. If the policy is incorporated in the Title V permit, an enforcement policy will become federally enforceable for determining enforcement action and will contradict the state and federal regulations on the opacity standard since the CEP will allow the permittee to violate the opacity standard up to a certain percent of operating time and shield the permittee from enforcement action. Thus, the Division finds no reason to incorporate CEP into the permit at this time.

**The Division Has Made the Following Changes to the Permit:**

1. FINDS Number has been taken out from the cover page of the permit since the Department is not using this FINDS number any more.
2. The title of the Section E has been revised to “SOURCE CONTROL EQUIPMENT OPERATING REQUIREMENTS’.
3. The words “administratively and technically” have been removed from the first sentence in SECTION A - PERMIT AUTHORIZATION.
4. Section A- Permit Authorization has been revised to reflect that this is a final Title V permit.
5. The statement about the insignificant activities in SECTION C- INSIGNIFICANT ACTIVITIES has been revised as follows: “The following listed activities have been determined to be insignificant activities for this source pursuant to Regulation 401 KAR 50:035, Section 5(4). While these activities are designated as insignificant, the permittee must comply with the applicable regulation and some minimal level of periodic monitoring may be necessary.”
6. The Condition 5 in Section F has been revised as follows:  
  
“5. Reports of any monitoring required by this permit, other than continuous emission or opacity monitors, shall be submitted to the Division's Owensboro Regional Office no later than the six-month anniversary date of this permit and every six months thereafter during the life of this permit, unless otherwise stated in this permit. Data from the continuous emission and opacity monitors shall be reported to the Technical Services Branch in accordance with the requirements of Regulation 401 KAR 59:005, General Provisions, Section 3. All reports shall be certified by a responsible official pursuant to Section 6 (1) of Regulation 401 KAR 50:035, Permits. All deviations from permit requirements shall be clearly identified in the reports.”
7. The Condition 7(e) in Section F has been deleted from the permit.
8. The Condition 8 in Section F has been revised as follows:  
  
“8. In accordance with Regulation 401 KAR 50:035, Section 23, the permittee shall provide the Division with all information necessary to determine its subject emissions within thirty (30) days of the date the KEIS emission report is mailed to the permittee.”

9. The Condition 9 in Section F has been revised as follows:

“9. Pursuant to Section VII.3 of the policy manual of the Division for Air Quality as referenced by Regulation 401 KAR 50:016, Section 1(1), results of performance test(s) required by the permit shall be submitted to the Division by the source or its representative within forty-five days after the completion of the fieldwork.”

10. A condition #20 has been added to Section G General Conditions item (a) General Compliance Requirements to null all previous permits as follows.

“20. All previously issued construction and operating permits are hereby null and void.”